

RESPONSE TO PETITION 'TO PROTECT THE DOGS OF LYME VALLEY PARK FROM BEING POISONED

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Portfolio: Environment and Recycling

Ward(s) affected: All

Purpose of the Report

To outline the Council's response to a petition seeking action by the Council to prevent dogs being poisoned.

Recommendation

To retain a suitable notice on the park notice board for a period of six months and that Officers review the requirement for further signs on a regular basis.

Reasons

A petition was received by Full Council on 14 December 2011. The petition includes sufficient signatures to trigger a debate at a Council meeting; however the petition organiser has agreed that it is appropriate for the issue to be considered at Cabinet. This report gives a brief explanation of the issues that have occurred and actions that have been taken by the Council and the Police. No further incidents have been reported since September 2011.

1. Background

1.1 At the meeting of the Council on 14 December 2011 a petition was presented asking the Council to take action against alleged dog poisonings that have taken place at Lyme Valley Park.

2. Issues

2.1 Between June and September 2011 three dogs died after ingesting a harmful substance. Each dog had previously been walked within the Clayton and Town ward areas, including the Lyme Valley Parkway. However, it has never been established exactly where the affected dogs ingested the substance which resulted in their deaths. Through the Council's Dog Warden service information was sought from local veterinary practices to confirm the cause of death was ingestion of a harmful substance. Due to the type of substance no treatment could be given to save pets or other animals that have ingested it. It is important to note that no further incidents have occurred since September 2011.

2.2 The Council has worked closely with Staffordshire Police to collate information on the incidents. The Police recognise that there have been three cases of fatalities to dogs in a relatively short period of time due to the ingestion of a harmful substance, suggesting that the events may have a common link/cause. However there is an absence of viable lines of investigation and evidence to take any case forward and no criminal prosecutions have taken place. The Police have kept records of the incidents and in the event of further incidents may be able to compile a case.

- 2.3 Council officers from the dog warden service have undertaken additional patrols of the area and spoken to local residents. Additionally officers from the Operations Service have been vigilant in checking the locality and ensuring that all litter is removed as soon as possible.
- 2.4 Of course increasing dog warden visits to this locality is to the detriment of other locations, and impacts adversely on a range of other duties performed by the team for the benefit of communities across the whole borough. Increased patrols on an ongoing basis are therefore not sustainable without additional resources.
- 2.5 At the time of the incidents the Council issued a series of press releases to provide information and advice to dog owners. The communications team also responded to comments posted on social media sites. Dog wardens increased the time they spent in the park, giving greater opportunity to talk on a one-to-one basis with dog walkers within the park. Park users were also encouraged to meet the wardens and discuss their concerns as part of the Midsummer Mayhem event, where they spoke with approximately 200 people.

3. **Options Considered**

- 3.1 The Council considered the issues in conjunction with the Police and there are mixed views on how to tackle the problem.
- 3.2 The initial view was that creating publicity may encourage the offender to re-offend, particularly as some people take reward from seeing their actions cause distress to others. In addition the promotion of the offences can sometimes encourage other people to copy the actions.
- 3.3 The alternative view is that by promoting awareness of the offences that dog owners can be extra vigilant and take greater care over their dogs.

4. **Proposal and Reasons for Preferred Solution**

- 4.1 Following discussion within the Council officers agreed to place signs in the locality notifying dog owners to take greater care. The posters say:

Information for Dog Owners and Walkers

It has been reported that between June and September 2011 three dogs were reported to have died as a result of ingesting a harmful substance following walking in this locality. No further reports have been received since.

Staffordshire Police are investigating the reports.

Dog Wardens regularly patrol the locality and provide advice to dog owners and walkers.

It is recommended that dogs are kept on the lead as a precaution during walks.

Dog owners should discourage their pets from eating discarded food, or drinking from discarded containers.

Please use the litter bins provided, or take your litter home.

To report any related issues call 01782 717717.

- 4.2 Officers recommend the removal of the current temporary signs from the locality if no further incidents occur within the next month; however it is proposed to retain a suitable notice on the park notice board for a period of six months. The requirement for further signs will be

reviewed on a regular basis. Additionally visits to the park by dog wardens will be reduced to normal levels, on a risk assessed basis. Finally the customer services teams will remain briefed in order that they may record associated customer contacts, and provide up to date information and advice as requested.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 5.1 The provision of parks and open spaces and public realm for active use by residents including dog walkers contributes to the priority of creating a cleaner, safer and sustainable borough and the priority of creating a healthy and active community.

6. **Legal and Statutory Implications**

- 6.1 As mentioned above the responsibility for taking action against criminal activity lies with Staffordshire Police. The Council promotes responsible dog ownership and promotes appropriate use of public realm and cleansing of these areas. The Council does have duties to provide services competently and:

- Under the Occupiers' Liability act 1957 to take such care as is reasonable for a reasonable owner of land to see that a visitor will be reasonably safe in using the land for the purposes they are permitted to be there; and
- Under the Health and Safety at Work etc. Act 1974 to ensure so far as reasonably practicable the safety of the public.

7. **Equality Impact Assessment**

- 7.1 A Service Impact Assessment has been completed on Canine Control.

8. **Financial and Resource Implications**

- 8.1 The actions undertaken to date have been completed utilising existing resources.

9. **Major Risks**

- 9.1 This report is intended to explain the basic role of the Council and the Police in tackling alleged criminal activity taking place in the locality.

10. **Key Decision Information**

- 10.1 The petition is focussed on the Lyme Valley Park but potentially the issues could affect other publicly accessible areas and residents from other wards. In particular the petition highlights that several petitioners are not residents in the local wards and demonstrates the use of the Park by the wider community.

11. **Earlier Cabinet/Committee Resolutions**

None.

14. **Background Papers**

- 14.1 Petition "To protect the dogs of Lyme Valley Park from being poisoned."